

# Notice of Allowability

Application No.

10/690,424

Examiner

Melanie J. Hand

Applicant(s)

LEMINH ET AL.

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the remarks filed 6/28/06.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 8/29/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Applicant's statement.

MJH

## **REASONS FOR ALLOWANCE**

### ***Allowable Claims***

Claims 1-18 are allowed.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: A thorough search of the prior art of record did not disclose a reference, alone or in combination with other references, that teaches or fairly suggests an absorbent article having an absorbent structure that is secured to at least one of a bodyside liner and outer cover within a securement zone comprising a central portion and at least one outer portion disposed longitudinally outward of the central portion, wherein the central portion has an average width that is substantially greater than the average width of the at least one outer portion.

The closest prior art of record is U.S. Patent Publication No. 2005 to Woltman et al, which teaches an absorbent article segmented absorbent core comprising two laterally opposed longitudinally extending segments connected by crosspieces, forming several adjacent central zones having a width, said central zones connected by at least one portion positioned longitudinally outward from said central zones and having average width which are less than the average width of the adjacent central zone, defined by the boundaries of the crosspieces. However Woltman teaches that there is no securement means securing the crosspieces to at least one of the outer cover and an elastic inner layer, therefore the central zones defined by the crosspieces are not securement zones in that the periphery of the crosspieces is not bonded to at least one of said cover and said inner layer, and there exists no motivation to bond said

peripheries. Further, the prior art of Woltman is commonly owned and thus is not available as prior art under 35 U.S.C. 103(c).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie J. Hand whose telephone number is 571-272-6464. The examiner can normally be reached on Mon-Thurs 8:00-5:30, alternate Fridays 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on 571-272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

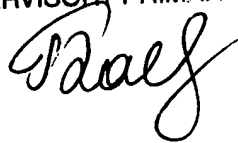
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Art Unit: 3761

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Melanie J Hand  
Examiner  
Art Unit 3761

MJH  
September 1, 2006

TATYANA ZALUKAEVA  
SUPERVISORY PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Tatyana', written over the printed name and title.

PLEASE ENTER & SCAN - MH  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 9/8/06

Application of Christopher P. Olson, et al.

Art Unit 3761

Serial No. 10/690,424

Filed October 21, 2003

Confirmation No. 3822

For ABSORBENT ARTICLE HAVING AN ABSORBENT STRUCTURE SECURED TO A  
STRETCHABLE COMPONENT OF THE ARTICLE

Examiner Melanie Jo Hand

September 5, 2006

LETTER TO PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS,

SIR/MADAM:

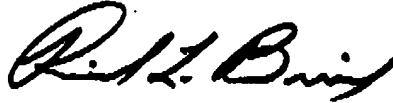
This letter is in response to an inquiry made by the Examiner during a phone conference between the Examiner and the undersigned on September 5, 2006.

During the phone conference, the Examiner inquired as to the availability of U.S. Patent Application Serial No. 10/727,892 as prior art under 35 U.S.C §103 against the present application.

Applicants note that the present application and U.S. Application Serial No. 10/727,892 were commonly owned by or subject to an obligation of assignment to Kimberly-Clark Worldwide, Inc. of Neenah, Wisconsin at the time the present invention was made.

Accordingly, the '892 application is disqualified under 35 U.S.C. §103(c) as prior art under §103 against the present application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard L. Bridge".

Richard L. Bridge, Reg. No. 40,529  
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St. Louis, Missouri 63102  
(314) 231-5400

RLB/tmg